REMARKS

The present application has been reviewed in light of the Office Action dated March 25, 2004. Claims 1, 3-8, 10-15, 17-22, and 24-62 are presented for examination. Claims 1, 8, 15, 22, 29-32, 36 and 39 have been amended. Claims 1, 8, 15, 22, 29-32, 36, 39, 51, 54, 57, and 60-62 are in independent form. Claims 51-62 have been added to provide Applicant with a more complete scope of protection. Favorable reconsideration is requested.

The Office Action states that Claims 1, 3-5, 8, 10-12, 15, 17-19, 22, 24-26, and 29-50 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,092,100 ("Berstis"); and that Claims 6, 7, 13, 14, 20, 21, 27, and 28 are rejected under § 103(a) as being unpatentable over Berstis in view of U.S. Patent No. 6,546,388 ("Edlund"). Applicant respectfully submits that amended independent Claims 1, 8, 15, 22, 29-32, 36 and 39, together with the claims dependent therefrom, are patentably distinct from the cited prior art for at least the following reasons.

Independent Claim 1 is directed to a method of finding, in response to the entry by a user of a user input recognized as a resource identity signifier, a single, intended target resource, intended by the user to uniquely correspond to the resource identity signifier, among a plurality of resources available on a network that includes a plurality of interconnected computers. The method uses a finder server having access to: (a) a database storing database information including (i) an index of the available resources; and (ii) multi-user feedback gathered from a plurality of users with respect to the results of previous executions of the method; and (b) a learning system structured to access and learn from the database information.

According to the method, a user input is received from the user, the user input is recognized as a resource identity signifier, and the database is accessed to determine, based on the database information including the multi-user feedback, which, if any, of the indexed resources is likely to be the intended target resource based on the recognized resource identity signifier.

As submitted previously, Applicant understands Berstis as disclosing a system for resolving an incorrect entry of a URL. Berstis teaches that, if a user enters a URL that cannot be recognized, a determination of the correct URL is made based on a "fuzzy" detection scheme. The fuzzy detection scheme truncates the incorrect entry by eliminating characters therefrom, and then compares the truncated entry (i.e., segments of characters from the incorrect entry) with URL entries in a lexicon of server IP names. A match is determined if a URL entry satisfies a predetermined threshold. However, Applicant also submitted that Berstis is silent regarding the use of feedback information gathered from a plurality of previous users to determine a likely single, intended target resource.

Despite Applicant's submissions, the prior rejection was upheld by the PTO as follows:

> . . . Berstis teaches a fuzzy search engine 44 that tests the user-entered character string against a "local" history list/database first and if it cannot find a match then it maybe launched [sic] to test against databases of one or more external dedicated servers 46-46n, which maybe located at or associated with an Internet Service Provider "ISP" 48, that preferably contain a more broad-based archive of URLs, i.e., feedback information gathered from a plurality of previous users (Berstis, C2: L27-42, C5:L24-36 and L50-67 and C6:L1-16). Hence, Berstis does teach the use of feedback information gathered from a plurality of previous users to determine a single, intended target resource. (Paragraph 26

of the Office Action, emphasis supplied.)

In summary, the PTO contends that Berstis discloses the claimed "feedback information" at column 2, lines 27-42, column 5, lines 24-36, 50-67, and column 6, lines 1-16 of Berstis. Applicant respectfully disagrees:

(1) Column 2, lines 27-42, of Berstis discusses distributing the fuzzy URL detection logic across multiple components of the network, such that if a client machine cannot find a match to the inputted URL in a local history list, a browser may launch to another server which has a more broad-based archive of URLs to match against.

(2) Column 5, lines 24-36, of Berstis discusses that each server can perform fuzzy logic, and column 5, lines 50-67, discusses the fuzzy logic detection scheme.

(3) Column 6, lines 1-16, of Berstis discusses that if an inputted IP address has not been recognized, the character string of the IP address is indexed into a lexicon of server IP names that have been input by a user of the client machine over a given history period.

Accordingly, Berstis merely discloses the keeping of one or more lists of URLs that have been input to the system by the user of a client machine (or by other users of a server) during a pre-set "history" period. It thus appears that the PTO is contending that a history of previously input URLs is the claimed "feedback information." Applicant, however, respectfully disagrees that this history constitutes "feedback information."

In particular, Berstis' history of previously input URLs is not "feedback information," because as understood by those skilled in the art, it does not relate to *an output or result* of the system or process. In contrast, Berstis' system merely discloses the use of an

aggregation of old URL inputs to the system. These *inputs* are clearly not *outputs or results of the system or process*, that is, feedback.

Further, nothing in Berstis teaches or suggests obtaining such feedback information from a plurality of users, for example, by request or by monitoring their viewing of a link to determine whether it was correctly provided. In fact, Berstis' history of input URLs provides no information on any results obtained by those inputs, let alone any information on the usefulness of such results (many of which may be erroneous or irrelevant because the inputs were misguided).

Accordingly, Applicant submits that independent Claim 1 is not anticipated by Berstis, and respectfully requests withdrawal of the rejection under 35 U.S.C. § 102(e). Independent Claims 8, 15, 22, 29-32, 36, and 39 also require "feedback information." Therefore, those claims are also patentable for at least the same reasons as Claim 1.

Claims 3-7, 10-14, 17-21, 24-28, and 43-50 depend from one or another of the independent claims discussed above, and therefore are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In this regard, the Office Action cites Edlund as teaching "a system and method of metadata search ranking for presenting to an end-user the matching search results of a search in an index list of information wherein a Monitor Agent (component 0205 of Fig. 2) monitors the user's selections of search results. Every time the user selects a search result item for further

viewing from the list of results, the Monitor Agent will then update the ranking database (component 0207 of Fig. 2) to increase the popularity count/weight (i.e., the confidence level) of the selected URL accordingly (as in step 408 of Fig. 4) (Edlund, Figs. 2,4, and corresponding text, C9: L17-51 and C10L50-67)." Even assuming Edlund discloses what the Office Action asserts that it does (which Applicant does not concede), Edlund would not remedy the deficiencies of Berstis discussed above, as Edlund is silent on: (1) receiving a user input, (2) recognizing that user input to be a resource (or object) identity signifier, and (3) finding a likely single intended target resource based on the recognized resource (or object) identity signifier.

Moreover, Applicant disagrees that one of ordinary skill in the relevant art would be motivated to combine Berstis with Edlund, because there is no suggestion in those references to replace the technique of ranking based on a degree of matching of a candidate URL with an inputted URL, as disclosed in Berstis, with the technique of ranking based on popularity (or number of clicks on a hyperlink), as disclosed in Edlund. In fact, such a modification may thwart the purported operation of the Berstis system. Accordingly, for at least these additional reasons, Applicant submits that the claims of the present application are patentable over Berstis and Edlund, considered individually or in combination.[1]

Concerning new independent Claims 51, 54, and 57, Applicant explicitly recites feedback information as "relating to a result of the method [or apparatus]." Support for this claim feature, and those of Claims 52-53, 55-56, and 58-59 may be found, for example, at

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[1] In addition, if necessary in the future, Applicant reserves the right to swear behind Edlund et al. and thus remove it as prior art.

page 38, line 10, to page 39, line 5, of the application. Accordingly, Claims 51-59 are thus also patentable over Berstis for the same reasons as Claim 1.

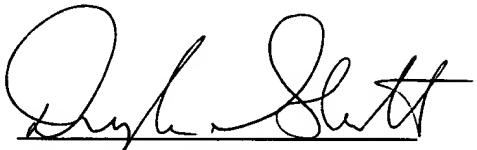
Concerning new independent Claim 60-62, Applicant explicitly recites that the "resource identity signifier" does not include "a URL or portion thereof." Support for this claim feature may be found, for example, at page 10, line 28, to page 11, line 5, of the application. As discussed above, in Berstis' system, a user enters a URL which identifies a particular server or file. If the URL is entered incorrectly, a fuzzy URL detection scheme automatically performs a fuzzy search. The resource identity signifier of Claims 60-62, however, does not include a URL or a portion thereof. Accordingly, Claims 60-62 are also considered patentable over Berstis.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration of the present application, and requests entry of the Amendment under 37 C.F.R. 1.116, as Applicant believes all claims are in allowable form.

CONCLUSION

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,



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